IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 9465 of 1999

DATED: 14.3.2007

Between:

S.K.Md.Ismail petitioner

And

The Chief Engineer/Electricity
Operation & Maintenance, Vijayawada Thermal Power Station
Ibrahimpatnam, Krishna dist Respondent

THE HON'BLE SRI JUSTICE N.V.RAMANA

WRIT PETITION NO. 9465 OF 1999

ORAL ORDER:

The present writ petition is filed questioning the proceedings dated 31.3.1999 rejecting the case of the petitioner for the post of Junior Plant Assistant as illegal and arbitrary.

The petitioner claims that he is a Graduate and worked as casual labour under the respondent for 155 ½ days during the year 1979 and is entitled for absorption in terms of memo dated 26.8.1985 and B.P.Ms.No. 36 dated 18-5-1997. The petitioner states that on 3.2.1999 he has approached the authorities and submitted all the relevant documents and requested to allow him to attend the interview and alleges that he was not permitted to attend the interview and informed that the decision will be communicated to him later. Thereafter vide impugned proceedings dated 31.3.1999 his claim was rejected on the ground that he failed in the interview/O&M tests conducted by the selection committee. Hence, the present writ petition.

A counter affidavit was filed on behalf of the respondent denying the writ averments and specifically stating that the petitioner has appeared for interview on 19-12-1992 and 22-11-1997 and failed in both the attempts and also failed in third attempt on 3-2-1999 and suppressing the said facts has filed the present writ petition.

Heard the learned counsel for petitioner and learned standing counsel for respondent.

In view of the specific statement of the third respondent that the petitioner has appeared for interview before the selection committee on

3-2-1999 and subscribed his signature against his name at serial no.39 and failed in the interview and O & M test, the contentions of the petitioner cannot be accepted. The petitioner having attended the interview and failed therein cannot contend that he was not permitted to attend the interview.

There are no merits in the writ petition. Accordingly, the same is dismissed. No costs.

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N.V.RAMANA,J

DATE: 14-3-2007
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THE HON'BLE MR JUSTICE N.V. RAMANA

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DATED: 14.3.2007